

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 05-1666

IN RE: REYNOLDO DESAMOUR,
Petitioner

On Petition for a Writ of Mandamus from the
United States District Court for the
Eastern District of Pennsylvania
(Related to E.D. Pa. Crim. No. 89-cr-00389-6)

Submitted Under Rule 21, Fed. R. App. P.
March 11, 2005

Before: CHIEF JUDGE SCIRICA, WEIS AND GARTH, CIRCUIT JUDGES

Filed: May 27, 2005

OPINION

PER CURIAM.

Reynoldo Desamour has filed a mandamus petition pursuant to 28 U.S.C. § 1651, seeking to compel the District Court for the Eastern District of Pennsylvania to rule on his motion filed pursuant to Fed. R. Civ. P. 60(b). It appears that the District Court has recently entered an order disposing of his Rule 60 motion. Accordingly, the petition for a writ of mandamus will be denied as moot. Desamour may, of course,

challenge the District Court's disposition of his Rule 60(b) motion by filing a timely notice of appeal in accordance with the dictates of Rules 3 and 4 of the Federal Rules of Appellate Procedure.